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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,542	11/07/2003	Jung Su Lee	P24436	8210

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EXAMINER

BROWN, DREW J

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/702,542

Applicant(s)

LEE, JUNG SU

Examiner

Drew J. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 7-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

This Office Action is a response to the amendment filed on January 6<sup>th</sup>, 2006. Claims 1-3, 5, and 7-15 have been amended, and claim 6 has been canceled.

#### *Specification*

1. The abstract of the disclosure is objected to because "form" should be --from-- in line 5. Correction is required. See MPEP § 608.01(b).

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakovski et al. (U.S. Pat. No. 5,788,269) in view of Varcus et al. (U.S. Pat. No. 6,361,067 B1).

With respect to claim 1, Jakovski et al. discloses a passenger air bag system for vehicles comprising an airbag housing (32) mounted to an instrument panel at the front part thereof, an inflator (30) mounted in the air bag housing for discharging gas when a collision of the vehicle occurs, a cushion (26) accommodated in the air bag housing such that the cushion is toward a passenger seated in a passenger seat by means of the gas discharged from the inflator, and a retainer (24) attached to the air bag housing for supporting the cushion, wherein the retainer has a single gas-guiding hole (112 as seen in Figure 1).

Jakovski et al. does not disclose a diffuser bag fixed to an inlet part of the cushion having a plurality of gas-discharging holes for discharging the gas. However, Varcus et al. does disclose a diffuser bag (38) fixed to and communicating with an inlet part (34) of the cushion, where the

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diffuser bag has a plurality of gas-discharging holes (46) formed at both sides thereof to discharge gas introduced thereinto into the cushion.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Jakovski et al. in view of the teachings of Varcus et al. to have a diffuser bag with a plurality of gas-discharging holes at both sides to discharge the gas into the cushion so the cushion is filled as desired. In other words, the location, size, and quantity of the openings can be varied to fill the cushion with an even distribution at a desired rate.

With respect to claim 2, Varcus et al. also discloses that the diffuser bag comprises a main body (40 and 42) formed in the shape of a pocket for receiving gas, an inlet part (36) to receive gas introduced into the main body therethrough, and a gas-discharging opening (48) formed at one side of the main body to discharge gas received in the main body in a prescribed direction.

With respect to claim 3, the main body of the diffuser bag comprises an upper panel (42) forming the upper part of the main body, and a lower panel (40) attached to the lower side of the upper panel by means of sewing (column 3, lines 2-9) to define a chamber therein together with the upper panel.

With respect to claim 4, the lower panel and upper panel are sewn to each other at their outer edges (Fig. 2).

With respect to claim 5, the upper and lower panels are made of a fibrous material (column 3, line 2).

4. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakovski et al. in view of Varcus et al., and further in view of Taguchi et al. (U.S. Pat. No. 5,951,038).

The combination of Jakovski et al. and Varcus et al. discloses the claimed invention as discussed above but does not disclose that the upper and lower panels each have a hole formed therein that correspond to each other. However, Taguchi et al. does disclose that the upper and lower panels have corresponding gas-discharging holes (22a) formed therein (Fig. 10a).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have gas-discharging holes in the upper and lower panels in order to

diffuse gas in all possible directions instead of only diffusing it in a horizontal plane. By diffusing it vertically as well, the cushion will expand uniformly to provide optimum protection for the occupant.

With respect to claims 8, Taguchi et al. also discloses that each of the upper panel and the lower panel comprises a plurality of gas-discharging holes (column 5, lines 15-19).

With respect to claims 9 and 10, the combination of Jakovski et al. and Varcus et al. discloses that the entrance of the diffuser bag is defined between one end of the upper panel (connection of panel 42 and inlet 34) and one end of the lower panel (connection of panel 40 and inlet 34). Also, the upper and lower panels are separated from each other at both sides of the upper and lower panels adjacent to one end of the main body of the diffuser bag (Fig. 2).

5. Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakovski et al. in view of Varcus et al., Taguchi et al. (U.S. Pat. No. 5,951,038), and Taguchi et al. (U.S. Pat. No. 5,913,535).

The combination of Jakovski et al., Varcus et al., and Taguchi et al. (U.S. Pat. No. 5,951,038) discloses the claimed invention as discussed above but does not disclose that the ends of the upper panel and the lower panel are attached to the inlet part of the cushion by means of sewing. However, Taguchi et al. (U.S. Pat. No. 5,913,535) does disclose that the ends of the upper and lower panels are attached to the inlet part of the cushion by sewing (column 4, lines 61-63).

With respect to claims 12-13, the combination Jakovski et al. and Varcus et al. discloses that the gas-discharging opening is configured to discharge gas in a direction opposite to a direction of eccentric expansion of the cushion (arrows corresponding to openings 48). This opening is formed by cutting an edge of the diffuser bag (Fig. 2).

With respect to claims 14-16, the main body of the diffuser bag is provided with a pressure-releasing opening (46) to prevent from increasing pressure inside the main body above a prescribed limit. Although Varcus et al. does not specifically recite that the intended use of the opening is to release pressure, it is obvious that the openings will prevent increase of pressure inside the main body above a prescribed limit. This pressure-releasing opening is formed at an

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edge of the main body of the diffuser bag by not sewing the upper panel and the lower panel (Fig. 2).

### ***Response to Arguments***

6. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

7. With respect to the remark requesting the Examiner to remove the improper Information Disclosure Statement, the Applicant must file a petition to expunge the form, which is found in the MPEP, section 724.02.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lenart et al. also discloses a retainer with a single gas-guiding hole.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J. Brown  
Examiner  
Art Unit 3616

DJB  
3/13/06



3/14/06

**PAUL N. DICKSON**  
**SUPERVISORY PATENT EXAMINER**  
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